

CONFIRMATION OF ROBERT CALIFF

Mr. McCONNELL. Mr. President, in the meantime, we took a step forward yesterday by confirming the new FDA Commissioner, Dr. Robert Califf. In a recent meeting with Dr. Califf, I expressed my concerns regarding the epidemic at hand and the need for more action by the FDA.

I was encouraged by Dr. Califf's recognition that the opioid epidemic is a serious problem and the FDA must do a better job of addressing it. Dr. Califf received broad bipartisan support yesterday in the Senate, and we look forward to working with him. I will continue to hold him accountable to lead the FDA in a new direction to help prevent dependence and abuse of prescription opioids.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OPIOID ADDICTION

Mr. REID. Mr. President, I join the Republican leader on the need to address the scourge of opioid addiction. It is a scourge. That is why it is more important than ever that we back our words with real solutions, real resources.

That is why the amendment by Senator SHAHEEN to the opioid bill will be important. I hope it gets every consideration, and I hope it passes.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, I start with a statement the Republican leader made on the Senate floor in 2007: "I will never agree to retreat from our responsibility to confirm qualified judicial nominees."

I wish to repeat: "I will never agree to retreat from our responsibility to confirm qualified judicial nominees."

My Republican counterpart said that. They are his own words.

Fast forward 9 years to today, now. Not only is the senior Senator from Kentucky abandoning his responsibility to confirm a Supreme Court Justice, he is leading the entire Republican caucus to retreat from their constitutional obligation. This is unfortunate because the Republican leader was right 9 years ago. As Senators, we have a responsibility to uphold a number of things, but one certainly is the Constitution. That responsibility is clearly outlined in the oath we take before we are sworn into office—right there. Every one of them has done it. What are we asked to confirm, to swear to? We swear to "support and defend the Constitution of the United States." We swear to "bear true faith and allegiance to the same." We swear to "faithfully discharge the duties of of-

fice." I wish to repeat that. We swear to "faithfully discharge the duties of office."

One cannot see how Republicans can claim to uphold this oath as they block the President from appointing a new Supreme Court Justice. Senate Republicans are making pledges of a different sort these days. They have vowed to not hold hearings—even though denying a hearings is unprecedented in history. They have sworn not to meet with the President—I am sorry, with his nominee and maybe even him. He has been waiting for word from the chairman of the Judiciary Committee and the Republican leader to find out if they are willing to come and meet with him in the White House. That has been going on for several days now. They have sworn not to meet with the President's Supreme Court nominee, even though they don't know who that person might be. By refusing to hold confirmation hearings for President Obama's Supreme Court nominee or to hold a vote, they undermine the Presidency, the Constitution, and the Senate.

Senate Republicans are known—and have been for some time now—as a set of human brake pads, obstructing, filibustering virtually everything President Obama has had on his agenda, but this raises obstruction to a new level never seen before in this country—the Supreme Court: no hearings, no vote, and yesterday even more. They even refuse to meet with this man or woman who is going to be nominated—no meetings, no meetings with the nominee to the Supreme Court, a person put forth by the President of the United States because the Constitution states he shall nominate. He has no discretion, he shall nominate.

By refusing to even sit or talk with any nominee, they make a mockery of the office to which the American people elected them.

Think about this. Republicans will not do their due diligence by speaking with a nominee to assess his or her qualifications. Meeting with the nominee is basic. Holding a hearing is routine. These things are common sense, so why won't Republican Senators make an effort to uphold their constitutional responsibilities?

U.S. Senators have an obligation to evaluate the Presidential nominations, not only for the Supreme Court but for every nomination that comes forward—but especially the Supreme Court. That means sitting down with the nominee. That means holding hearings to learn about their record and qualifications for the position, and that means a vote.

The senior Senator from Texas said the same about 7 years ago. After Justice Sonia Sotomayor was nominated, the assistant Republican leader told C-SPAN that "my own view is that we ought to come with an open mind and do the research and do the reading . . . and then be able to ask the nominee about them."

What he said, the senior Senator from Texas, is that his view is that we

ought to come with an open mind, do the research, do the reading, and then be able to ask the nominee about them. I agree. The Senate should be able to research the background of the President's Supreme Court nominee and ask any questions they may have about them. Why—why—for the first time in history, do we have this situation? Why do Republicans—the Republican Senator from Texas, whom I just quoted, and all Republicans—refuse to even meet with a nominee?

I say to my Republican friends, you cannot offer advice and consent on a nominee you have never met, never considered. It is impossible. Maybe Republicans are hoping the Supreme Court vacancy will just go away, but it will not. Maybe Senate Republicans think they will only endure a few weeks of negative stories—and there have been negative stories, of course. There are no positive stories that I am aware of saying: That is great. For the first time in history you are not even willing to meet with a nominee. I guess they believe the American people will forget about this vacancy, but they will not.

Democrats are going to fight every day to ensure that this important nominee gets a dignified confirmation process that past Senates have afforded all Supreme Court nominations. I, along with every other Member of the Democratic caucus, will be on the floor next week, the week after that, and the week after that, as long as it takes, to bring to the attention of America the failure of this Republican Senate to meet its constitutional mandate.

Pretending the nominee doesn't exist will not make the Supreme Court vacancy go away. It will not make the President's nomination vanish. Rather, it leaves the American people with a Senate full of Republicans who, as the Republican leader said, are "retreating from their responsibilities." That is what the Republican leader said. Their obstruction of the President's Supreme Court nominee is abdication of the oath my Republican colleagues took when they assumed the title of U.S. Senator.

Once again I tell my Republican friends: Don't run away from your responsibilities, just do your job. Do your job.

Mr. President, will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.